

## REMARKS/ARGUMENTS

Claims 1-15 are pending in the application. Claims 1-15 stand rejected under 35 U.S.C. 101 and 35 U.S.C. 112, second paragraph; claims 1-3, 7, 9, 12, and 14-15 stand rejected under 35 U.S.C. 102(b); and claims 4-6, 8, 10, 11, and 13 stand rejected under 35 U.S.C. 103(a). The rejection is traversed and reconsideration is requested.

### *Claim Amendments*

Independent claims 1 and 15 are amended to specify respectively a computer-implemented method and a computer system, and claims 7 and 8 are amended to correct an inadvertent omission of wherein.

### *Claim Rejections - 35 U.S.C. §101*

Claims 1-15 are rejected under 35 U.S.C. 101 because the Examiner considers that the claim is directed to non-statutory subject matter in that according to the Examiner:

As in claims 1 and 15, *a method for updating web pages on a web server without republishing the web pages* does not produce a useful, and concrete (sic) as set forth in 2106(IV)(B)(2)(b)(ii), e.g., *if the checker approves the change, replicating the change to the data on the quality assurance version* is not useful, concrete result because *replicating the change to the data on quality assurance version* is still unknown if the checker does not approve. If the checker approves the change, replicating the changes to the data on the quality assurance version of the at least one business data table is not being available for use in the method for updating pages on the Web server.

The Examiner's reference to "2106(IV)(B)(2)(b)(ii)" is presumably intended to refer to the MPEP which currently appears to contain no such section , but instead the topic presumably intended by the Examiner is believed to be addressed in MPEP 2106(IV)(C)(2)((2))(a) and (c)). Regarding the Examiner's claim that claims 1 and 15 do not produce a "useful" result, MPEP 2106(IV)(C)(2)((2))(a)) provides in pertinent part:

For an invention to be "useful" it must satisfy the utility requirement of section 101. The USPTO's official interpretation of the utility requirement provides

that the utility of an invention has to be (i) specific, (ii) substantial and (iii) credible. MPEP § 2107 and *Fisher*, 421 F.3d at 1372, 76 USPQ2d at 1230 (citing the Utility Guidelines with approval for interpretation of "specific" and "substantial").

Each of claims 1 and 15 clearly recites the specific, substantial and credible practical application of updating web pages on a web server without republishing the web pages.

Regarding the Examiner's claim that claims 1 and 15 do not produce a "concrete" result, MPEP 2106(IV)(C)(2)((2)(b)) provides in pertinent part:

Another consideration is whether the invention produces a "concrete" result. Usually, this question arises when a result cannot be assured. In other words, the process must have a result that can be substantially repeatable or the process must substantially produce the same result again. *In re Swartz*, 232 F.3d 862, 864, 56 USPQ2d 1703, 1704 (Fed. Cir. 2000) (where asserted result produced by the claimed invention is "irreproducible" claim should be rejected under section 101).

It is patently self-apparent that the respective computer-implemented method and computer system of updating web pages on a web server without republishing the web pages as recited in claims 1 and 15 are repeatable without experimentation. It is equally self-apparent that the method and system of updating web pages on a web server without republishing the web pages as recited in claims 1 and 15 respectively produce a concrete result. The rejection of claims 1-15 under 35 U.S.C. 101 as directed to non-statutory subject matter is clearly improper.

#### ***Claim Rejections - 35 U.S.C. §112***

Claims 1-15 stand rejected under 35 U.S.C. 112, second paragraph, in that according to the Examiner:

Respect to claims 1, and 15; line 15, the clause "*If the checker approves the change, replicating the changes to the data on the quality assurance version of the at least one business data table*" renders the claim(s) indefinite because it is unclear what happen (*sic*) if *the checker does not approves the change*.

With all due respect, the Examiner has no authority to mandate addition of elements to cover conditions not necessary for the computer-implemented method and computer system of updating web pages on a web server without republishing the web pages respectively as recited in claims 1 and 15. The Examiner should know that U.S. patent law does not require that all possible elements be listed in the patent, let alone listed in the claims, nor does U.S. patent law require a claim to recite each and every element needed for the practical utilization of the claimed subject matter. The rejection of claims 1-15 under 35 U.S.C. 112, second paragraph, is likewise clearly improper.

***Claim Rejections - 35 U.S.C. §102***

Claims 1-3, 7, 9, 12, and 14-15 stand rejected as anticipated by Skok (2002/00911725) under 35 U.S.C. 102(b). The rejection is traversed and reconsideration is requested.

Regarding independent claims 1 and 15, Skok fails to teach or suggest one or more limitations recited in claims 15 in at least the following respects:

- Skok fails to teach or suggest providing on a production database server a live version of at least one business data table containing information used to populate web pages on a production web server and storing in a quality assurance database server a quality assurance version of the at least one business data table used to populate pages on a quality assurance web server, as recited in claims 1 and 15. On the contrary, Skok merely stores a live version of HTML and attachment portions for web pages in a web server database, and the edits created by a user on an application at the user's browser are simply queued for approval before being copied to the web server database (See, e.g., Skok, pars. 0031, 0068 and Fig. 2).
- Skok fails to teach or suggest allowing a maker at a business workstation to access the quality assurance database server and enter a change to data on the quality assurance version of the at least one business data table. Instead,

according to Skok, the web server displays the web page in the user's browser along with an editing application with which the user edits the web page on the web page database, and the edited web page is simply queued for a checker to approve (See, e.g., Skok, par. 0066 and 0068).

- Skok fails to teach or suggest allowing a checker at the business workstation to access the quality assurance database server to review and approve or reject the change to the data on the quality assurance version of the at least one business data table, as recited in claims 1 and 15. On the contrary, instead of accessing a quality assurance database storing a quality assurance version of the business data table as recited in claim 1 and 15, according to Skok, the checker simply approves the queued web page edits for publishing (See, e.g., Skok, par. 0066).
- There is no hint of teaching or suggestion in Skok of replicating the change to the data on the quality assurance version of the at least one business data table from the quality assurance database server to the live version of the at least one business data table on the production database server if the checker approves the change, as recited in claims 1 and 15. As the Examiner should know, replicating is a term of art which is clearly distinguishable from simple copying, as discussed at length in the Specification, e.g., at p. 6, line 22- p. 7, line 13; and p. 21, lines 11-22; p. 22, lines 17-28. Instead of replicating the change on the quality assurance version from the quality assurance database server to the live version on the production database server, according to Skok, the user's edits are merely copied to the web server if approved (See, e.g., Skok, par. 0031).

Consequently, Skok fails to teach the required combinations of limitations of Applicants' computer-implemented method and computer system of updating web pages on a web server without republishing the web pages as recited in claims 1 and 15 respectively. Because each and every element as set forth in independent claims 1 and 15 is not found, either expressly or inherently in the cited reference, the Examiner

has failed to establish the required *prima facie* case of unpatentability. See Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628 (Fed. Cir. 1987); See also MPEP §2131. The Examiner has failed to establish the required *prima facie* case of unpatentability for independent claim 1 and similarly has failed to establish a *prima facie* case of unpatentability for claims 2, 3, 7, 9, 12, and 14 that depend on claim 1 and which recite further specific elements that have no reasonable correspondence with the reference.

### ***Claim Rejections - 35 U.S.C. §103***

Claims 4-6 and 10 stand rejected as obvious over Skok in view of Ries (2003/0023632) under 35 U.S.C. §103(a); claims 8 and 13 stand rejected as obvious over Skok in view of Sutherland (2002/0120757) under 35 U.S.C. §103(a); and claim 11 stands rejected as obvious over Skok in view of Cochran (2004/0030697) under 35 U.S.C. §103(a); . The rejection is traversed and reconsideration is requested.

Regarding claims 4-6 and 10, as previously noted, Skok fails to teach the required combinations of limitations of Applicants' computer-implemented method of updating web pages on a web server without republishing the web pages as recited in claim 1 and Ries fails to remedy the deficiencies of Skok. The proposed modification lacks one or more limitations recited in each of claims 4-6 and 10 in at least the following respects:

- Skok and Ries, separately or in combination with one another, fail to teach or suggest the required combinations of limitations of Applicants' computer-implemented method of updating web pages on a web server without republishing the web pages as recited in claims 1, in which the respective versions of the at least one business data table further comprise one of a text data table and a binary data table as recited in claim 4, and / or in which each of the database servers further comprises an SQL database hosted by the respective database server as recited in claim 5, and / or in which the maker at the business workstation is allowed to access the quality assurance database

server via a backend database management application as recited in claim 6, and/or in which the checker at the business workstation is allowed to access the quality assurance database server via a backend database management application as recited in claim 10. On the contrary, Ries merely discloses editing web pages by providing editing logic and data that associates portions of the page with data sources used to provide the portions utilizing SQL code (See, e.g., Ries, pars. 0021, 0092, 0093, and 0098-0100).

Regarding claims 8 and 13, as already noted, Skok fails to teach the required combinations of limitations of Applicants' computer-implemented method of updating web pages on a web server without republishing the web pages as recited in claim 1, and Sutherland fails to remedy the deficiencies of Skok. The proposed modification lacks one or more limitations recited in each of claims 8 and 13 in at least the following respects:

- Skok and Sutherland, separately or in combination with one another, fail to teach or suggest the required combinations of limitations of Applicants' computer-implemented method of updating web pages on a web server without republishing the web pages as recited in claim 1, in which the maker is allowed to designate a time for the change to be accessible on the production web server as recited in claim 8, and /or in which the change of the at least one business data table is replicated from the quality assurance database server to the live version of the at least one business data table on the production database server to be accessible on the production web server at a time designated by the maker as recited in claim 13. Instead, Sutherland discloses nothing more than granting group permissions to specific resources on the Internet via URLs that are valid for a limited time (See, e.g., Sutherland, par. 0074).

Regarding claim 11, as noted above, Skok fails to teach the required combinations of limitations of Applicants' computer-implemented method of

updating web pages on a web server without republishing the web pages, and Cochran fails to remedy the deficiencies of Skok. The proposed modification lacks one or more limitations, as recited in each of claim 11 in at least the following respects:

- Skok and Cochran, separately or in combination with one another, fail to teach or suggest the required combinations of limitations of Applicants' computer-implemented method of updating web pages on a web server without republishing the web pages as recited in claim 1, in which the checker is allowed to access the quality assurance database server to review and approve or reject the change to the data on the quality assurance version of the business data table using a web browser on a business workstation as recited in claim 11. Rather, Cochran discloses nothing more than adding feedback functionality to an online content management system without altering the stored online content in which user comments are stored at a server or in a database (See, e.g., Cochran, par. 0054).

Consequently, Skok, Ries, Sutherland and/or Cochran, separately or in combination with one another, do not recite the required combinations of limitations of claims 4-6, 8, 10, 11, and 13. Because each and every element as set forth in claims 4-6, 8, 10, 11, and 13 is not found, either expressly or inherently, in Skok, Ries, Sutherland and/or Cochran, the Examiner has failed to establish the required *prima facie* case of unpatentability. See In re Royka, 490 F.2d 981, 985 (C.C.P.A., 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); See also MPEP §2143.03.

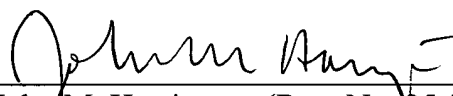


### Conclusion

In view of the foregoing amendment and these remarks, each of the claims remaining in the application is in condition for immediate allowance. Accordingly, the examiner is requested to reconsider and withdraw the rejection and to pass the application to issue. The examiner is respectfully invited to telephone the undersigned at (336) 607-7318 to discuss any questions relating to the application.

Respectfully submitted,

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